

Notice of Allowability

Application No.

09/838,305

Examiner

Dana Ross

Applicant(s)

ERICKSSON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/17/04.
2. ☒ The allowed claim(s) is/are 1-20 and 22-31.
3. ☒ The drawings filed on 20 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 1-20 and 22-31 are allowed.
2. The following is an examiner's statement of reasons for allowance: The prior art of record neither anticipates nor renders obvious a cutting tool system (independent claims 1, 25, 26, 27, 28, 29, 30 and 31) or a tool clamping device (independent claim 22) as claimed, specifically wherein the cutting tool system has a spring-loaded element displaceable from the recess in a direction of displacement which is substantially opposite the direction of bias (claims 1 and 22); the shaft, when the clamping force is released, is displaceable by being rotatable about a longitudinal axis of the shaft, the spring-loaded device opposing such rotation (claims 25 and 28); wherein the shaft portion and the aperture define a common longitudinal axis, the envelop surface being substantially cylindrical and the recess comprises a groove extending parallel to the longitudinal axis (claim 26); wherein the shaft portion and the aperture define a common longitudinal axis, the recess comprising at least one groove lying in a plane oriented perpendicularly to the axis, the at least one groove comprising a plurality of grooves spaced apart along the axis at regular 10mm intervals (claim 27); wherein the shaft portion and the aperture portion define a common longitudinal axis, the recess comprising at least one groove lying in a plane oriented perpendicular to the axis (claims 29 and 30); or wherein the recess has a generally V-shaped cross section, the spring-loaded element comprising a rotatable element (claim 31).

There closest prior art of record is U.S. Pat. No. 5,624,214 (Carroll) as is discussed in detail in the previous office action.

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Carroll does not disclose all the limitations as claimed (see above), so therefore Carroll does not anticipate the claimed invention of independent claims 1, 22, 25, 26, 27, 28, 29, 30 or 31.

Furthermore, there is no prior art of record that would render obvious the claimed invention, either alone or in combination with Carroll, and no motivation found to modify Carroll to obtain the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 703-305-7764. The examiner can normally be reached on Mon-Thurs 6:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 703-308-2159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dmr


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